

# McDermott Will & Emery

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April 19, 2007

## VIA ELECTRONIC FILING

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Re: Reexamination of Roaming Obligations of Commercial Mobile Radio Service  
Providers, WT Docket No. 05-265; Notice of Ex Parte Presentation

Dear Ms. Dortch:

On Wednesday, April 18, 2007, Holly Henderson of Southern Communications Services, Inc. d/b/a SouthernLINC Wireless ("SouthernLINC Wireless") and Christine Gill and David Rines of McDermott Will & Emery, LLP, met with Fred Campbell, Chief of the Wireless Telecommunications Bureau, to discuss the status of the above-referenced proceeding on the roaming obligations of commercial mobile radio service (CMRS) providers.

We discussed the importance of, and significant public interest in, the inclusion of roaming for data services in any decision or action that the Commission may take in this proceeding. Consumer use of and reliance on mobile data services – which are marketed primarily as an add-on to and/or bundled with mobile voice service utilizing a single handset – is expanding rapidly. As with mobile voice, the substantial economic and public safety benefits of mobile data make it critical for consumers to have nationwide access to mobile data services. Consumers in rural and underserved areas should be able to have the benefits of wireless data service through roaming when they may be outside their home carrier's footprint. In addition, for certain segments of the population (such as the hearing impaired) which may depend to a greater degree on wireless data services, accessibility to data roaming would be especially important.

We also discussed how text messaging and other data services also serve vital public interest needs, particularly during emergencies. During emergencies, text messaging and wireless e-mail services are often the best means of communication available, especially when networks become too overloaded by large-scale emergencies to carry traditional voice traffic. Automatic roaming for voice, data, push-to-talk, and other mobile services also facilitates the interoperability of public safety communications, allowing emergency first responders and other emergency service

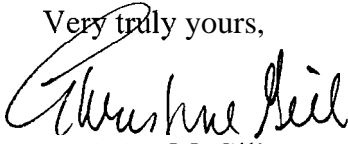
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providers, such as hospital emergency rooms, utilities, and transportation officials, to communicate with each other during critical rescue and recovery operations.

Finally, we discussed the legal basis for the Commission's authority to take action regarding data roaming, including its authority under Title II of the Communications Act to regulate telecommunications services, its plenary authority under Title III of the Act to regulate any wireless service, and its ancillary authority under Title I of the Act to ensure that important public interest objectives are achieved.

In accordance with the Commission's Rules, one copy of this *ex parte* notice is being filed electronically for inclusion in the record of the above-referenced proceeding.

Very truly yours,



Christine M. Gill

cc: Fred Campbell